

**GOVERNMENT OF INDIA
COMMERCE AND INDUSTRY
LOK SABHA**

UNSTARRED QUESTION NO:4196
ANSWERED ON:12.12.2016
Cases Filed against India at WTO
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Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

- (a) the details of ongoing cases filed against India by many foreign countries at the World Trade Organisation (WTO) Appellate Body;
- (b) the details of the cases lost and won by the country at WTO during the last three years;
- (c) the details of cases filed by India at WTO against other countries for violation of WTO rules; and
- (d) the impact of WTO's ruling in the case filed by USA against India in Domestic Component Requirement stipulated in the Jawaharlal Nehru National Solar Mission and the implementation of the Mission?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (INDEPENDENT CHARGE)
(SMT. NIRMALA SITHARAMAN)

(a) to (d): India's Ongoing WTO dispute cases are indicated below:

Dispute cases with India as 'Complainant' are:

- (i) DS436 -India challenged the exorbitant anti-subsidy duty imposed by the United States (US) on certain steel products originating from India; WTO Ruling was substantially in favour of India;
- (ii) DS503 -India challenged against US Measures affecting Non-Immigrant Service Suppliers from India; consultations were held with the US during 11-12 May 2016.
- (iii) DS-510 -India challenged against the WTO inconsistent Renewable Energy Programmes of the US at their sub-federal level; consultations were held with the US during 16-17 November 2016.

Dispute cases with India as 'Respondant' are:

- (i) DS430 -The US challenged the ban on imports of certain agricultural products in particular the poultry and poultry products originating from a country which declared occurrence of low-high pathogenic Avian Influenza strains; India's measure has been ruled as WTO inconsistent in this case.
- (ii) DS456 -The US challenged Domestic Content Requirement in certain programs under Jawaharlal Nehru National Solar Mission (JNNSM) of India; DSB Ruled that India's measures were inconsistent with under WTO rules.
- (iii) DS498 - The Chinese Taipei challenged India's Anti Dumping duty on USB flash drives originating from Chinese Taipei; consultations were held with Chinese Taipei in India in November 2016.

Pursuant to the DSB Ruling in the WTO dispute DS456, establishing the Domestic Content requirement on private developers as inconsistent with the WTO obligations, India has to bring its measures into conformity within the Reasonable Period of Time. GOI has been extending other WTO compliant support to domestic industry.
